

Appendix D

**Rule 132 Declaration D – Content of CMG Equipment, LLC, Infinity Tasklight LED
Flashlight Products**



In the United States Patent and Trademark Office

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Applicant(s): Arthur, James D.

Examiner: Berhane, Adolf D., Art Unit 2838

Rule 132 Declaration D – Content of CMG Equipment, LLC, Infinity Tasklight LED Flashlight Products

James Arthur declares as follows:

1. I am the inventor in the above patent application.
2. On or about January 4, 2002, a white-LED model Infinity Tasklight flashlight, a product of CMG Equipment, LLC was obtained.
3. CMG Equipment LLC is assignee of the above titled United States patent, US 6,366,028 B1
4. The packaging of said flashlight was marked “Patents Pending.”
5. Upon disassembly, I traced the electrical circuit of same.
6. The circuit was found to be that published in United States Patent No. 6,366,028 B1, figure 3, employing the component values listed in Table 1 of column 5 of the specification.
7. On or about August 21st, 2002, Applicant received a CMG Infinity Ultra model LED flashlight, a successor model to the Infinity Tasklight models.
8. The Infinity Ultra was disassembled, and found to contain a new boost converter based on a commercial integrated circuit: the ZXSC300, manufactured by Zetex PLC.

9. The circuit of the CMG Infinity Ultra was the same as that described in Zetex's published datasheet for the ZXSC300 device.
10. The ZXSC300 is a current-mode boost converter not related to the device taught in Wener 6,366,028 B1.. The ZXSC300's on-time is terminated by a current-sensing circuit which employs a current-sensing resistor to gauge inductor current; off-time is set by a fixed, preset timer.
11. The CMG Infinity Ultra examined did not contain the converter taught in US 6,366,028 B1, *Wener, et al.*
12. I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issuing therefrom.

Signature

James Arthur
James Arthur

Date

November 8, 2005